U.S.S.N.: 09/768,155
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RESPONSE

Remarks

The claims in this application have been divided into two groups, group I, claims 1-7, and group II, claims 8-14. Claims 8-14 are drawn to a composition for use in the method of claims 1-7. Applicants elect group II, with traverse.

This application is a continuation of U.S.S.N. 08/800,682. This application is now U.S. Patent No. 6,342,218, which issued on January 29, 2002. All of claims 1-14 as originally filed were examined in the parent application. Accordingly, it would be inconsistent to split the claims in this application into two groups. Moreover, it is likely the examiner is going to make a double patenting rejection and this would make such a split even more inconsistent.

The claims in this case have been amended to more specifically define the method of treatment, particularly in view of subsequent studies with the antibodies, so that the claimed subject matter is distinct from that which has already been patented. The claims are now drawn solely to the embodiment where the reagent is a single chain anti-anti dsDNA antibody fragment, and the amount is effective to prevent the patient's anti-dsDNA antibodies from inhibiting protein synthesis. Support for these amendments is found in example 2 in which the antibodies are shown to bind to a ribosomal protein and thereby inhibit protein synthesis.

Consideration of all claims as now pending is earnestly solicited.

Respectfully submitted,

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Patrea Pabst

Date: August 21, 2002

APPENDIX: Claims Marked to Show Amendments

1. (amended) A method for treating a lupus patient characterized by the presence of anti-dsDNA antibodies comprising administering to the patient [a therapeutic composition in a pharmaceutically acceptable carrier for administration to a patient selected from the group consisting of peptides having sequence identity with ribosomal protein S1 which are immunoreactive with anti-dsDNA and] single chain anti-idiotypic antibody [or antibody] fragments immunoreactive with anti-dsDNA antibodies, wherein the antibody fragments prevent the anti-dsDNA antibodies from interfering with protein synthesis.

2. (amended) The method of claim 1 wherein the [peptide is between four and forty amino acids in length] antibody fragments are derived from human antibodies.

3. (amended) The method of claim 1 wherein the [peptide is] antibody fragments are conjugated to a carrier molecule or is a fusion protein.

Please cancel claim 4.

5. (amended) The method of claim 1 wherein the [composition is] antibody fragment is derived from an anti-idiotypic antibody immunoreactive with anti-dsDNA antibody.

6. The method of claim 5 wherein the antibody is administered in a dosage effective to kill anti-dsDNA antibody producing cells.

7. The method of claim 5 wherein the antibody is administered in a dosage effective to decrease the amount of anti-dsDNA antibody levels in the patient.

8. (amended) A therapeutic composition in a pharmaceutically acceptable carrier for administration to a patient [selected from the group consisting of peptides having sequence identity with ribosomal protein S1 which are immunoreactive with anti-dsDNA and] comprising an effective amount of single chain anti-idiotypic antibody [or antibody] fragments immunoreactive with anti-dsDNA antibodies, wherein the antibody fragments prevent the anti-dsDNA antibodies from interfering with protein synthesis.

9. (amended) The composition of claim 8 wherein the [peptide is between four and forty amino acids in length] antibody fragments are derived from human antibody.

10. (amended) The composition of claim 8 wherein the [peptide is] antibody fragments are conjugated to a carrier molecule or is a fusion protein.

Please cancel claim11.

12. (amended) The composition of claim 8 wherein the composition is an antibody fragment derived from an anti-idiotypic antibody immunoreactive with anti-dsDNA antibody.

13. The composition of claim 12 wherein the antibody is administered in a dosage effective to kill anti-dsDNA antibody producing cells.

14. The composition of claim 12 wherein the antibody is administered in a dosage effective to decrease the amount of anti-dsDNA antibody levels in the patient.